



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/578,859

05/11/2006

Jun Kitahara

09947.0009

3333

22852

7590

09/23/2010

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER
LLP

901 NEW YORK AVENUE, NW
WASHINGTON, DC 20001-4413

EXAMINER

VAUGHAN, MICHAEL R

ART UNIT

PAPER NUMBER

2431

MAIL DATE

DELIVERY MODE

09/23/2010

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Advisory Action

The proposed amendments will not be entered because they change the scope of the claimed invention and require further search and consideration. Specifically, the scope of the first and second sublicenses have been narrowed to require them being separate in a manner that the first sublicense and the second sublicense being separate in a manner that the first sublicense includes a subcondition specific for the first content and the second sublicense includes a subcondition specific for the second content. In the interest of compact prosecution, it is unclear how this amendment would overcome the teaching of an ECM containing sublicenses specific to multiple content as taught by Hamada (col. 11, line 64-col. 12, line 11 and col. 16, line 54-col. 17, line 14 and lines 52-65). Since the claim requires that both sublicenses are added to the first content, they arrive together with the first content. Merely calling them separate does not impart a specific meaning because they arrive together. The claim already required the broad feature each sublicense corresponded to a specific content. Now they are required to include a subcondition specific to each content. This new feature however does not make them distinguishable to an ECM containing multiple sublicenses that are specific to individual content. From the meaning of licenses it is inherent they will have subconditions regulating the use of the content. Therefore, no patentable weight would be given to the word 'separate' as presented in the proposed amendments.

/M. R. V./

Examiner, Art Unit 2431

Application/Control Number: 10/578,859
Art Unit: 2431

Page 3